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1901 PENNSYLVANIA AVENUE N W
SUITE 900
WASHINGTON, DC 20006

EXAMINER

MILIA, MARK R

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/864,298

Applicant(s)

USAMI, YASUSHI

Examiner

Mark R. Milia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 2/24/05, and has been entered and made of record. Currently, claims 1-23 are pending.

Drawings

2. Applicant's amendment to the specification to include reference character (ST 185) has overcome the objection to Fig. 9 as cited in the previous Office Action. Therefore the objection has been withdrawn.

Specification

3. The amendment to the specification to correct minor informalities has overcome the objection to the specification as cited in the previous Office Action. Therefore the objection has been withdrawn.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 16-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 16-23 are drawn to functional descriptive material NOT claimed as residing on a computer readable medium. MPEP 2106.IV.B.1(a) (Functional Descriptive Material) states:

“Data structures not claimed as embodied in a computer-readable medium are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer.”

“Such claimed data structures do not define any structural or functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure’s functionality to be realized.”

Claims 16-19, while defining a program, does not define a “computer-readable medium” and is thus non-statutory for that reasons. A program can range from paper on which the program is written, to a program simply contemplated and memorized by a person. The examiner suggests amending the claim to embody the program on “computer-readable medium” in order to make the claim statutory.

Claims 20-23, while defining a recording medium recording a program, does not define a “computer-readable medium” and is thus non-statutory for that reasons. A recording medium recording a program can range from paper on which the program is written, to a program simply contemplated and memorized by a person. The examiner

suggests amending the claim to embody the program on "computer-readable medium" in order to make the claim statutory.

"In contrast, a claimed computer-readable medium encoded with the data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory." - MPEP 2106.IV.B.1(a)

Response to Arguments

5. Applicant's arguments, see pages 24-30, filed 2/24/05, with respect to the rejection(s) of claim(s) 1-6 and 10-23 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Particularly, the Examiner agrees that the reference of Garfinkle does not disclose a keyword associated with each image or picture (thumbnail), which currently amended claims now contain, and does not reference the image or picture by the date the picture was taken. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the current amendments to the claims and newly found prior art.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-7 and 11-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garfinkle in view of U.S. Patent No. 6335742 to Takemoto.

Regarding claim 1, Garfinkle discloses an image data administration apparatus comprising: a data communication unit connected to at least one terminal equipment of a customer and at least one photographic printer via a network (see Figs. 1 and 6 and column 2 line 57-column 3 line 19, reference teaches a photographer which is analogous to the customer in the claimed element), an image data memory for memorizing a plurality of image data with respect to each customer transmitted from the terminal equipment (see Fig. 1 and column 3 line 56-column 4 line 15), an image information memory for memorizing information associated and transmitted with each image data (see column 3 line 56-column 4 line 15 and column 4 lines 55-67), an image data selector for selecting image data having associated information from among the image data memorized in the image data memory when the specific information transmitted from the terminal equipment of the customer is received (see column 4 line 55-column 5 line 29), and an index image data processor for forming an index image data in which a plurality of thumbnail images corresponding to the image data selected by the image data selector are arranged in a predetermined order and for outputting the index image data via the data communication unit to at least one of the terminal equipment of the customer and the photographic printer (see column 4 line 55-column 5 line 40, column 7 lines 4-24 and 43-52, column 9 lines 1-5 and 14-25, column 9 line 42-column 10 line 8, and column 10 lines 16-21).

Garfinkle does not disclose expressly a keyword associated with and transmitted with each image data.

Takemoto discloses an image information memory for memorizing a keyword associated with and transmitted with each image data (see column 3 lines 6-20, column 6 lines 20-42, column 8 lines 60-67, and column 11 lines 13-52) and an image data selector for selecting image data associated with a specific keyword from the image data memorized in the image data memory when the specific keyword transmitted from the terminal equipment of the customer is received (see column 3 lines 6-20, column 7 lines 7-14, and column 11 line 64-column 12 line 23).

Regarding claim 6, Garfinkle discloses an image data administration system comprising an image data administration apparatus, at least one photographic printer and a network for communicating the image data administration apparatus and the photographic printer to at least one terminal equipment of a customer, wherein the image data administration apparatus includes: a first data communication unit connected to the network so as to communicate with the terminal equipment and the photographic printer (see Figs. 1 and 6 and column 2 line 57-column 3 line 19), an image data memory for memorizing a plurality of image data with respect to each customer transmitted from the terminal equipment (see Fig. 1 and column 3 line 56-column 4 line 15), an image information memory for memorizing information associated and transmitted with each image data (see column 3 line 56-column 4 line 15 and column 4 lines 55-67), a first image data selector for selecting a first set of image data associated with specific information among the image data memorized in the image

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data memory when the specific information transmitted from the terminal equipment of the customer is received (see column 3 line 56-column 4 line 15 and column 4 lines 55-67), a first index image data processor for forming a first index image data in which a plurality of thumbnail images corresponding to the first set of image data are arranged in a predetermined order and for outputting the first index image data to the terminal equipment of the customer via the first data communication unit (see column 5 lines 1-40, column 6 line 56-column 7 line 3, and column 8 lines 8-37), a second image data selector for selecting from the image data at least one secondary image data having the specific information corresponding to a selection data transmitted from the terminal equipment of the customer (see column 9 line 42-column 10 line 8 and column 10 lines 16-21), and a second index image data processor for renewing the first index image data to incorporate the secondary selected image data in accordance with the selection by the customer and for outputting renewed index image data to the terminal equipment of the customer (see column 6 lines 45-49, column 8 lines 8-37, and column 9 lines 1-5), and a print order processor for forming a print order file including printing conditions instructed by the customer and for transmitting the image data and the renewed index image data with the print order file and for outputting them to the photographic printer via the first data communication unit when the second index image data are confirmed by the customer (see column 9 lines 14-41 and column 10 lines 16-21), the photographic printer includes: a second data communication unit for receiving the image data and the renewed index image data with the print order file from the image data administration apparatus (see Fig. 1 and column 9 line 42-column 10 line 8), an

exposing unit for exposing a sensitized surface of a photographic paper by using the image data and the index image data (see column 8 lines 8-37 and column 10 lines 9-27), and a developing unit for developing the exposed photographic paper for making photographic prints of images corresponding to the image data and for printing an index print of thumbnail images corresponding to the index image data (see column 8 lines 8-37 and column 10 lines 9-27).

Garfinkle does not disclose expressly a keyword associated with and transmitted with each image data.

Takemoto discloses an image information memory for memorizing a keyword associated with and transmitted with each image data (see column 3 lines 6-20, column 6 lines 20-42, column 8 lines 60-67, and column 11 lines 13-52) and an image data selector for selecting image data associated with a specific keyword from the image data memorized in the image data memory when the specific keyword transmitted from the terminal equipment of the customer is received (see column 3 lines 6-20, column 7 lines 7-14, and column 11 line 64-column 12 line 23).

Regarding claim 11, Garfinkle discloses a method for administrating image data comprising the steps of: memorizing image data in a specific folder in an image data memory of an image data administration apparatus in accordance with a customer's ID associated with each image data, when the image data are transmitted from a terminal equipment of a customer communicated with the image data administration apparatus via a network (see Fig. 1, column 3 line 56-column 4 line 15, column 4 lines 55-67, and column 9 lines 1-5), memorizing information associated and transmitted with each

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image data in a specific folder in an image information memory of the image data administration apparatus (see column 3 line 56-column 4 line 15), selecting image data associated with specific information among the image data memorized in the image data memory when the specific information is transmitted from the terminal equipment of the customer (see column 4 lines 2-15 and 55-67 and column 7 lines 61-67), forming an index image data in which a plurality of thumbnail images corresponding to the selected image data are arranged in a predetermined order (see column 5 lines 1-40 and column 6 line 56-column 7 line 24), and outputting the index image data to at least one of the terminal equipment of the customer and a photographic printer (see column 5 lines 1-40, column 6 line 56-column 7 line 24, and column 8 lines 8-37).

Garfinkle does not disclose expressly a keyword associated with and transmitted with each image data.

Takemoto discloses an image information memory for memorizing a keyword associated with and transmitted with each image data (see column 3 lines 6-20, column 6 lines 20-42, column 8 lines 60-67, and column 11 lines 13-52) and an image data selector for selecting image data associated with a specific keyword from the image data memorized in the image data memory when the specific keyword transmitted from the terminal equipment of the customer is received (see column 3 lines 6-20, column 7 lines 7-14, and column 11 line 64-column 12 line 23).

Regarding claim 16, Garfinkle discloses a program for administrating image data comprising the steps of: receiving at least one image data and information associated with each image data which are transmitted from a terminal equipment of a customer

via a network (see Figs. 1 and 6, column 2 line 57-column 3 line 19, column 3 lines 44-55, and column 4 lines 43-47), memorizing the image data in a specific folder in an image data memory corresponding to a customer's ID associated with each image data (see column 3 line 56-column 4 line 15, column 4 lines 55-67, column 7 lines 61-67, and column 9 lines 1-5), memorizing the information into a specific folder in an image information memory (see column 7 lines 61-67), receiving an instruction designating specific information transmitted from the terminal equipment of the customer (see column 5 lines 1-29, column 7 lines 4-60, and column 9 line 42-column 10 line 8), selecting image data associated with the specific information among the image data memorized in the image data memory (see column 3 line 56-column 4 line 15, column 4 lines 55-67, and column 5 lines 1-7), forming an index image data in which a plurality of thumbnail images corresponding to the selected image data are arranged in a predetermined order (see column 5 lines 1-29, column 6 line 56-column 7 line 24, and column 7 lines 43-60), and outputting the index image data to the terminal equipment of the customer (see column 5 lines 1-29, column 6 line 56-column 7 line 24, column 7 lines 43-60, and column 8 lines 8-37).

Garfinkle does not disclose expressly a keyword associated with and transmitted with each image data.

Takemoto discloses an image information memory for memorizing a keyword associated with and transmitted with each image data (see column 3 lines 6-20, column 6 lines 20-42, column 8 lines 60-67, and column 11 lines 13-52) and an image data selector for selecting image data associated with a specific keyword from the image

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data memorized in the image data memory when the specific keyword transmitted from the terminal equipment of the customer is received (see column 3 lines 6-20, column 7 lines 7-14, and column 11 line 64-column 12 line 23).

Regarding claim 20, Garfinkle discloses a recording medium recording a program for administrating image data, wherein the program comprising the steps of: receiving image data and information associated with each image data which are transmitted from a terminal equipment of a customer via a network (see Figs. 1 and 6, column 2 line 57-column 3 line 19, column 3 lines 44-55, and column 4 lines 43-47), memorizing the image data in a specific folder in an image data memory corresponding to a customer's ID attached with each image data (see column 3 line 56-column 4 line 15, column 4 lines 55-67, column 7 lines 61-67, and column 9 lines 1-5), memorizing the information into a specific folder in an image information memory (see column 7 lines 61-67), receiving an instruction designating specific information transmitted from the terminal equipment of the customer (see column 5 lines 1-29, column 7 lines 4-60, and column 9 line 42-column 10 line 8), selecting image data associated with the specific information among the image data memorized in the image data memory (see column 3 line 56-column 4 line 15, column 4 lines 55-67, and column 5 lines 1-7), forming an index image data in which a plurality of thumbnail images corresponding to the selected image data are arranged in a predetermined order (see column 5 lines 1-29, column 6 line 56-column 7 line 24, and column 7 lines 43-60), and outputting the index image data to the terminal equipment of the customer (see column 5 lines 1-29, column 6 line 56-column 7 line 24, column 7 lines 43-60, and column 8 lines 8-37).

Garfinkle does not disclose expressly a keyword associated with and transmitted with each image data.

Takemoto discloses an image information memory for memorizing a keyword associated with and transmitted with each image data (see column 3 lines 6-20, column 6 lines 20-42, column 8 lines 60-67, and column 11 lines 13-52) and an image data selector for selecting image data associated with a specific keyword from the image data memorized in the image data memory when the specific keyword transmitted from the terminal equipment of the customer is received (see column 3 lines 6-20, column 7 lines 7-14, and column 11 line 64-column 12 line 23).

Garfinkle & Takemoto are combinable because they are from the same field of endeavor, storage and management of image data.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the keywords associated with each image file for storage and retrieval as described by Takemoto with the system of Garfinkle. Further the reference of Garfinkle shows that each image is assigned a different number to differentiate the images and therefore the use of a keyword, which is similar to a filename that is used to aid in the storage and retrieval of files and is well known and commonly used in the art, would have been obvious to implement in such a system.

The suggestion/motivation for doing so would have been to allow a user to easily ascertain the contents of files and manipulate the files (see column 2 lines 31-50 of Takemoto).

Therefore, it would have been obvious to combine Takemoto with Garfinkle to obtain the invention as specified in claims 1, 6, 11, 16, and 20.

Regarding claims 2 and 12, Garfinkle and Takemoto disclose the system discussed in claims 1 and 11, and Garfinkle further discloses a print order processor for forming a print order file including printing conditions instructed by the customer and for transmitting the image data and the index image data with the print order file so as to make the printer print photographic prints corresponding to the image data and an index print corresponding to the index image data (see column 7 lines 4-24 and 42-52, column 8 lines 8-37, and column 9 lines 14-25).

Regarding claims 3, 10, and 13, Garfinkle and Takemoto disclose the system discussed in claims 1, 6, and 11, and Takemoto further discloses wherein the image information memory further memorizing date information of a date on which the image of the image data is taken (date stamping a picture at the time it is taken is well known and used in the art and would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize such a feature) and the plurality of thumbnail images are arranged with respect to date (see column 12 lines 29-39).

Regarding claims 4 and 14, Garfinkle and Takemoto disclose the system discussed in claims 1 and 11, and Garfinkle further discloses wherein the image data selector further has a function of selecting at least one secondary image data among the image data having the specific information corresponding to a selection made by the customer when the data communication unit further receives an instruction data

regarding the selection from the terminal equipment of the customer (see column 5 lines 1-40), and the index image data processor renews the index image data in accordance with the selection made by the customer with using secondary selected image data and outputs renewed index image data to the terminal equipment of the customer (see column 6 line 56-column 7 line 3 and column 7 lines 4-52). Takemoto further discloses a function of selecting at least one image data among the image data having the specific keyword in accordance with a selection made by the customer when the data communication unit further receives an instruction data regarding the selection from the terminal equipment of the customer (see column 3 lines 6-20, column 7 lines 7-14, and column 11 line 64-column 12 line 23).

Regarding claim 5, Garfinkle and Takemoto disclose the system discussed in claim 4, and Garfinkle further discloses a print order processor for forming a print order file including printing conditions instructed by the customer and for transmitting the image data and the renewed index image data with the print order file so as to make the printer print photographic prints corresponding to the image data and an index print corresponding to the index image data (see column 7 lines 4-24 and 42-52, column 8 lines 8-37, and column 9 lines 14-25).

Regarding claim 7, Garfinkle and Takemoto disclose the system discussed in claim 6, and Garfinkle further discloses wherein the terminal equipment of the customer has a monitor display, and a data communication unit of the image data administration apparatus transmits the index image data to the terminal equipment of the customer to

be displayed on the monitor display (see Figs. 1 and 6, column 5 lines 1-40, column 6 line 56-column 7 line 3, and column 7 lines 4-60).

Regarding claim 15, Garfinkle and Takemoto disclose the system discussed in claim 14, and Garfinkle further discloses forming a print order file including printing conditions instructed by the customer when a confirming data for confirming the renewed index image data by the customer is received (see column 7 lines 25-60), and transmitting the image data corresponding to the images included in the renewed index image data and the renewed index image data with the print order file to the photographic printer so as to make the printer print photographic prints corresponding to the image data and an index print corresponding to the index image data (see column 8 lines 8-37 and column 9 lines 1-5 and 14-25).

Regarding claims 17 and 21, Garfinkle and Takemoto disclose the system discussed in claims 16 and 20, and Garfinkle further discloses the steps of: receiving from the terminal equipment of the customer an instruction data including confirmation of change of the index image data (see column 6 line 56-column 7 line 3), selecting from the image data in the memory at least one secondary image data associated with the specific information the instruction data (see column 5 lines 1-35, column 7 lines 4-60, and column 8 lines 8-37), renewing the index image data in accordance with the instruction data incorporating the secondary image data (see column 7 lines 4-42), and outputting the renewed index image data to the terminal equipment of the customer (see column 7 lines 43-60). Takemoto further discloses keywords associated with

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image data (see column 3 lines 6-20, column 7 lines 7-14, and column 11 line 64-column 12 line 23).

Regarding claims 18 and 22, Garfinkle and Takemoto disclose the system discussed in claims 16 and 20, and Garfinkle further discloses the steps of: receiving from the terminal equipment of the customer instruction data including confirmation with respect to the index image data and order with respect to printing of photographic prints (see column 9 lines 14-41), forming a print order file including instructions to a photographic printer in accordance with the instruction data and transmitting the image data and the index image data with the print order file to the photographic printer so as to make the printer print photographic prints corresponding to the image data and an index print corresponding to the index image data (see column 7 lines 4-24 and 42-52, column 8 lines 8-37, and column 9 lines 14-25).

Regarding claims 19 and 23, Garfinkle and Takemoto disclose the system discussed in claims 16 and 20, and Garfinkle further discloses the steps of: receiving from the terminal equipment of the customer instruction data including confirmation or instruction of change with respect to the index image data (see column 7 lines 4-42), selecting from the image data at least one secondary image data having the specific information corresponding to the instruction data (see column 7 lines 43-60), renewing the index image data in accordance with the instruction data transmitted by the customer to incorporate the secondary image data (see column 6 line 56-column 7 line 3, column 7 lines 4-60, and column 9 lines 1-5), forming a print order file including printing conditions in accordance with the instruction data (see column 7 lines 4-60 and

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column 9 lines 14-41), and transmitting the image data and the index image data with the print order file to the photographic printer so as to make the printer print photographic prints corresponding to the image data and an index print corresponding to the index image data (see column 7 lines 14-41 and column 8 lines 8-37). Takemoto further discloses keywords associated with image data (see column 3 lines 6-20, column 7 lines 7-14, and column 11 line 64-column 12 line 23).

7. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garfinkle and Takemoto as applied to claim 6 above, and further in view of U.S. Patent No. 4816864 to Tanaka et al.

Garfinkle discloses (*claim 8*) a photographic printer (see Fig. 6) and (*claim 9*) wherein the terminal equipment of the customer has a monitor display (see Figs. 1, 6, 8, and 9c).

Garfinkle and Takemoto do not disclose expressly (*claim 8*) wherein the photographic printer includes a control unit for calculating forecasted termination time when all the photographic prints instructed in the print order file will be completed, and the second data communication unit transmits the forecasted termination time to the first data communication unit of the image data administration apparatus and (*claim 9*) the first data communication unit of the image data administration apparatus re-transmits the calculating forecasted termination time to the terminal equipment of the customer to be displayed on the monitor display.

Tanaka discloses (*claim 8*) a control unit for calculating forecasted termination time when all the photographic prints instructed in the print order file will be completed, and the second data communication unit transmits the forecasted termination time to the first data communication unit of the image data administration apparatus (see Fig. 7, column 14 line 65-column 15 line 37, and column 16 lines 8-16) and (*claim 9*) the first data communication unit of the image data administration apparatus transmits the calculating forecasted termination time to the terminal equipment of the customer to be displayed on the monitor display (see Fig. 7, column 14 line 65-column 15 line 37, and column 16 lines 8-16).

Garfinkle, Takemoto, & Tanaka are combinable because they are from the same field of endeavor, printing images with increased user convenience.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the forecasting of completion time of Tanaka with the system of Garfinkle and Takemoto.

The suggestion/motivation for doing so would have been to provide a user with a forecasted completion time of printed images to increase productivity and provide greater operator support.

Therefore, it would have been obvious to combine Tanaka with Garfinkle and Takemoto to obtain the invention as specified in claims 8 and 9.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

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MRM

Mark R. Milia
Examiner
Art Unit 2622


EDWARD COLES
SUPERVISORY PATENT EXAMINER
EBC CENTER 2600